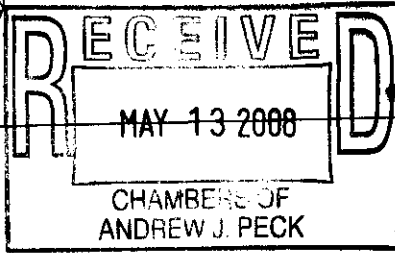




U.S. Department of Justice

United States Attorney
Southern District of New York



86 Chambers Street, 3rd Floor
New York, New York 10007

May 13, 2008

USDC SDNY
DOCUMENT
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DOC#
DATE FILED: 5/13/08

BY FAX 212.805.7933

The Honorable Andrew J. Peck
United States Courthouse
500 Pearl Street, Room 1370
New York, NY 10007

Re: *Akinyemi v. Chertoff*, 07 Civ. 4048 (AJP)

Dear Judge Peck:

The Government respectfully writes to request an extension of time to provide plaintiff with the Government's draft proposed pretrial order until May 27, 2008. The Government also requests an extension of time for the parties to submit the joint proposed pretrial order – as well as motions *in limine*, pre-marked exhibits, and other items required by the Court's individual practices – until June 2, 2008.

The Government's request is necessitated by plaintiff's failure to provide the Government with a draft of the proposed order on the date ordered by the Court, May 7, 2008. On May 9 and 10, plaintiff provided incomplete drafts of the proposed order. Among other things, plaintiff has failed to provide proposed jury instructions, proposed voir dire, and descriptions of witnesses' testimony. On Monday, May 12 at 9:30 pm, plaintiff provided the Government with an updated witness list with descriptions of testimony. However, plaintiff has not yet provided the other items required the Court's individual practices. The Government requests a brief extension so that it will have sufficient time to prepare a proposed joint pretrial order.

MEMO ENDORSED 5/13/08

1. After 5/17/08 to 6/2 is approved. If it does not comply, meeting continues with the judge.
2. Counsel are to confer & draft with court secretary before 5/15 to set a date for trial.

BY FAX

SO ORDERED:

Hon. Andrew J. Peck
United States Magistrate Judge

any/peck

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


JOHN D. CLOPPER

Assistant United States Attorney

Telephone: (212) 637-2716

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cc:

BY FAX

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(212) 268-3443

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: May 13, 2008

Total Number of Pages: 3

TO	FAX NUMBER
K. C. Okoli, Esq.	212-268-3443
John D. Clopper, Esq.	212-637-0033

TRANSCRIPTION:

MEMO ENDORSED 5/13/08

1. Extension of PTO to 6/2 is approved. If plaintiff does not comply, monetary sanctions will be imposed.
2. Counsel are to confer and jointly call my secretary before 5/15 to set a date for trial.